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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/749,872	12/31/2003	Tarmo Hyttinen	915-008.018	6329

4955 7590 02/23/2007  
WARE FRESSOLA VAN DER SLUYS &  
ADOLPHSON, LLP  
BRADFORD GREEN, BUILDING 5  
755 MAIN STREET, P O BOX 224  
MONROE, CT 06468

EXAMINER
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MINOR, CHERISSE K

ART UNIT	PAPER NUMBER
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2174

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/23/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

10/749,872

Applicant(s)

HYTTINEN ET AL.

Examiner

Cherisse K. Minor

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 31 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_ N/A-UKM
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 101***

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

2. Claim 9 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter, specifically a software application. Computer programs claimed as computer code per se, i.e., the descriptions or expressions of the programs, are not physical "things", nor are they statutory processes, as they are not "acts" being performed. Such claimed computer programs do not define any structural and functional interrelationships between the computer program and other claimed aspects of the invention, which permit the computer program's functionality to be realized. In contrast, a claimed computer readable medium encoded with a computer program defines structural and functional interrelationships between the computer program and the medium which permit the computer program's functionality to be realized, and is thus statutory. See MPEP §2106 Section IV.B.1(a).

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent

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granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Miller et al. ("Miller" US 7,149,810).

In respect to independent claim 1, Miller teaches a method of logging events in an electronic device (*creating and managing a plurality of calendar entries implemented in a computer—Claim 1*), the method comprising:

registering an alarm event that relates to a past alarm in the device (Column 2, Lines 22-23);

storing the registered alarm event in a list in a device storage (Figure 7, Column 11, Lines 19-21); and

presenting at least a portion of the list of registered alarm events to a user of the device (Figure 5—*calendar interface 500*, Column 7, Lines 54-57).

As per claim 2, Miller teaches storing the status of an alarm that corresponds to a registered alarm event, and the status of future alarms, in the list (Column 2, Lines 41-46, Column 10, Line 67-Column 11, Lines 1-4).

As per claim 3, Miller teaches allowing a user to edit said list (Column 8, Lines 39-45).

As per claim 4, Miller teaches editing said list via an input device of the device (Column 5, Lines 13-16).

As per claim 5, Miller teaches that the alarm event relates to a past alarm selected from the group comprising a reminder, an indication in a calendar, and a wake-up alarm (Column 2, Lines 33-35).

As per claim 6, Miller teaches that the list of alarm events is presented to a device user via a display of the device (Figure 2—*video display adaptor 164*).

As per claim 7, Miller teaches transferring the list of events from the device via a cable or wireless connection to a receiving means (Figure 1, Column 4, Lines 18-22 and 36-42).

As per claim 8, Miller teaches that the device is a mobile phone (Column 3, Lines 61-63).

As per claim 9, Miller teaches a computer program comprising computer executable components for causing a device to perform the steps recited in claim 1 when the computer-executable components are run on a microprocessor included in the device (Column 5, Lines 60-61).

Claim 10 is similar in scope to claim 1, and is therefore rejected under similar rationale. Miller further teaches a microprocessor, a memory, and a display (Column 4, Lines 43-44).

Claims 11-17 and 19 are similar in scope to claims 2-8 and 7 respectively, and are therefore rejected under similar rationale.

Claim 18 is similar in scope to combination of claims 10 and 16, and is therefore rejected under similar rationale.

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As per claim 20, Miller teaches that the second device is arranged with a display via which the list of alarm events is presented to a user of the second device, and which second device is further arranged with an input device via which the user can edit the list (Figure 1—*PDA 102C with display and input device*).

### ***Inquiries***

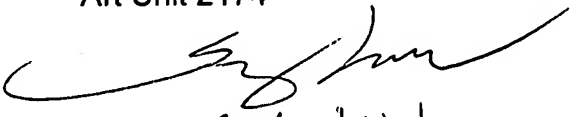
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cherisse K. Minor whose telephone number is 571-270-1287. The examiner can normally be reached on Monday-Friday 7:00-4:30 (Alternating Fridays Off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on 571-272-4063. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Cherisse K Minor  
Examiner  
Art Unit 2174

CKM   
02/07/07

  
SY LUU  
PRIMARY EXAMINER